

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO, WESTERN DIVISION**

IN RE: Cindy Durfey) Case No: 12-31888
)
) Chapter 13
Debtors)
) Judge Mary Ann Whipple

MOTION TO MODIFY CHAPTER 13 PLAN AFTER CONFIRMATION

The debtors, by and through their attorney, state and represent as follows:

1. That subsequent to the confirmation of their Chapter 13 Plan on July 19, 2012, the debtor, Cindy Durfey has suffered a loss of income in the average monthly amount of \$1292.74 as a result the Debtor has become disabled.
2. That because of the reduction in the amount of income, the debtors are no longer able to pay the sum of \$520.00 per month as required in the present Chapter 13 plan, but are able to pay the sum of \$80.00 per month for the next 5 months and then \$500.00 per month for the remaining 31 months.
3. That the modification proposed by the debtor will not modify the rights of the holder of any secured claim being dealt with under the plan, and will modify the rights of only the holders of allowed unsecured claims to the extent that the percentage received by the unsecured creditors will be reduced from 100% to 77%.

WHEREFORE, the debtor moves this honorable court, to enter an order confirming the modified Chapter 13 Plan.

Date: 06/13/2014

/s/Gaye Harris-Miles
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CERTIFICATE OF SERVICE

I certify that on June 13, 2014, a true and correct copy of the Debtor's Motion to Modify Chapter 13 Plan was served:

Via the court's Electronic Case Filing System on these entities and individuals who are listed on the court's Electronic Mail Notice List:

Trustee Elizabeth Vaughan, at officeofstanding@att.net

U.S. Trustee at (registereduser)@usdoj.gov

And by regular U.S. mail, postage prepaid, on:

Bass & Associates, on behalf of Capital One and United Consumer Financial, at 3936 E. Ft. Lowell Rd., Ste. 200, Tucson, AZ 85712

Lerner, Sampson & Rothfuss, on behalf of Wells Fargo, at PO Box 480, Cincinnati, OH 45201-5480

Fifth Third Bank
5050 Kingsley Dr.
MD# 1MOC2G
Cincinnati, OH 45263

First Merit Bank
III Cascade Plaza, CAS36
Akron, OH 44308

GE Capital Retail Bank
Attn: Bankruptcy Dept.
PO Box 103104
Roswell, GA 30076

Internal Revenue Service
P.O. Box 7346
Philadelphia, PA 19101

Macy's
Attn: Correspondence
PO Box 8116
Mason, OH 45040

Oak Harbor Capital
c/o Weinstein & Riley
PO Box 3978
Seattle, WA 98124-3978

Portfolio Recovery
PO Box 12914
Norfolk, VA 23541

US Bank
Bankruptcy Dept.
PO Box 5229
Cincinnati, OH 45201-5229

/s/Gaye Harris-Miles

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